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ing the wide circulation of present-day newspapers and their power for doing injury to reputation, it is highly important that the ancient doctrine, 'Whatever a man publishes he publishes at his peril,' should be strictly enforced. But this can not be done properly by taking away from the jury doubtful questions of fact."

Monopolies—Refusal to Sell to Retailers Not Maintaining Specified Retail Prices.—In *United States v. Colgate & Co.*, 39 Sup. Ct. Rep. 465, the Supreme Court of the United States held that in the absence of any purpose to create or maintain a monopoly a manufacturer engaged in an entirely private business may refuse to sell to retailers who will not maintain specified resale prices.

The court said: "The purpose of the Sherman Act is to prohibit monopolies, contracts and combinations which probably would unduly interfere with the free exercise of their rights by those engaged, or who wish to engage, in trade and commerce—in a word to preserve the right of freedom to trade. In the absence of any purpose to create or maintain a monopoly, the act does not restrict the long recognized right of trader or manufacturer engaged in an entirely private business, freely to exercise his own independent discretion as to parties with whom he will deal; and, of course, he may announce in advance the circumstances under which he will refuse to sell. 'The trader or manufacturer, on the other hand, carries on an entirely private business, and can sell to whom he pleases.' *United States v. Trans-Missouri Freight Association*, 166 U. S. 290, 320, 17 Sup. Ct. 540, 551 (41 L. Ed. 1007). 'A retail dealer has the unquestioned right to stop dealing with a wholesaler for reasons sufficient to himself, and may do so because he thinks such dealer is acting unfairly in trying to undermine his trade.' *Eastern States Retail Lumber Dealers' Association v. United States*, 234 U. S. 600, 614, 34 Sup. Ct. 951, 955 (58 L. Ed. 1490, L. R. A. 1915A, 788). See also *Standard Oil Co. v. United States*, 221 U. S. 1, 56, 31 Sup. Ct. 502, 55 L. Ed. 619, 34 L. R. A. (N. S.) 834, Ann. Cas. 1912D, 734; *United States v. American Tobacco Co.*, 221 U. S. 106, 180, 31 Sup. Ct. 632, 55 L. Ed. 663; *Boston Store of Chicago v. American Graphophone Co. et al.*, 246 U. S. 8, 38 Sup. Ct. 257, 62 L. Ed. 551, Ann. Cas. 1918C, 447. In *Dr. Miles Medical Co. v. Park & Sons Co.*, *supra*, the unlawful combination was effected through contracts which undertook to prevent dealers from freely exercising the right to sell."